HONOURABLE SRI JUSTICE B. SESHASAYANA REDDY

WRIT PETITION No.23913 OF 2005

Dated 29-12-2005

Between :

A. P. Bhoodan Yagna Board represented by its Secretary Sri. Keshavulu, son of late Balaram, aged about 67 years, Occupation : Secretary of A.P Bhoodan Yagna Board, Gandhi Bhavan Nampally, Hyderabad.

….Petitioner.

And :

1. Government of Andhra Pradesh, Revenue Department represented by its Principal Secretary, Secretariat Buildings, Saifabad and others.

…Respondents.

ORDER :

The writ petitioner challenges the inaction of the respondents 1 to 3 in not mutating and recording its name in the relevant revenue records in respect of lands admeasuring Ac.100.00 forming part of Sy.Nos.215 to 224 situated at Papaiguda, Ranga Reddy District filed the present writ petition.

2. Heard the learned counsel for the parties.

3. The petitioner claims that he has submitted an application in pursuance of the circular memo No.41950/ASN.1(1)/94-4. to the Mandal Revenue Officer-3rd respondent on 09-05-2005 to record its name in the revenue records.

4. The grievance of the petitioner is that the respondents having entertained the application are not passing any orders on the same and thus, it approached this Court by invoking jurisdiction of this Court under Article 226 of the Constitution of India.

5. The learned counsel for the petitioner claims that the petitioner submitted an application to the Mandal Revenue Oficer-3rd respondent on 09-05-2005 to record the name of the petitioner in the revenue records. Copy of the application filed by the petitioner has been placed on record.

6. It seems the Government issued a circular memo No.41950/ASN.1(1)/94-4 dated 17-06-1997, to record Bhudan lands in the relevant revenue records. Relevant portion of the circular reads as follows :

> "It is brought to the notice of Government that during the process of distribution of Bhoodan lands in recent past in most of the cases, Bhoodan lands are subjected to transfer from one person to another for the simple reason of non-recording of undistributed land as 'Kharej-khatha Bhoodan' in village pahanies in Telangana area, although as per Bhoodan and Gramdan Rule 9 of 1965, the Bhoodan lands are heritable but not alienable under any circumstances except to the commercial Banks for raising loans. In case of Andhra Area, all those Bhoodan lands which have been finally notified in the Gazette should have to be treated as "Bhoodan Government Poraboke" lands, but till today the names of donors are being entered in the village records instead of adopting monoculture as stated above, This Tapes is due to negligence of the village officer."

7. Since the application of the petitioner is in pursuance of the circular, the 2nd respondent has to pass necessary orders on the application.

8. In that view of the matter, the writ petition is disposed of directing the 2nd respondent to pass appropriate orders on the application filed by the petitioner after putting on notice to the persons in possession as well as the persons whose names appear in the revenue records within period of six weeks from the date of receipt of a copy of this order.

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Justice B.Seshasayana Reddy

Date : 29th December, 2005.

Dvs

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